

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

DANNI NOEL REED,

Civ. No. 6:23-cv-01243-AA

Plaintiff,

OPINION & ORDER

v.

REX MILLER; AGRI-TECH
BUSINESS; DEVERA MILLER;
FARMERS INSURANCE,

Defendants.

AIKEN, District Judge.

On September 24, 2024, the Court dismissed the Amended Complaint in this matter for failure to state a claim. ECF No. 12. Plaintiff was given thirty days in which to file a second amended complaint and warned that failure to timely file a second amended complaint would result in a judgment of dismissal without further notice. ECF No. 12.

On October 3, 2024, Plaintiff filed a handwritten document which is difficult to decipher, but which appears to be a renewed Motion for Appointment of Counsel. ECF No. 13. The Court has previously denied Plaintiff's motion for appointed counsel. ECF Nos. 9, 12. As the Court previously explained, there is no constitutional right to counsel in a civil case. *United States v. 30.64 Acres of Land*, 795 F.2d 796, 801 (9th Cir. 1986). However, pursuant to § 1915, this Court has

discretion to request volunteer counsel for indigent parties in exceptional circumstances. *Wood v. Housewright*, 900 F.2d 1332, 1335 (9th Cir. 1990). Here, because Plaintiff has failed to state a claim and because both the original Complaint and the Amended Complaint have been dismissed, the motion, ECF No. 13, is Denied.

As noted, Plaintiff was given thirty days in which to file a second amended complaint. Plaintiff has not filed an amended pleading and the time for doing so has passed. The Court therefore DISMISSES this case without prejudice but without further leave to amend. Final judgment shall be entered accordingly.

It is so ORDERED and DATED this 6th day of November 2024.

/s/Ann Aiken

ANN AIKEN

United States District Judge